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January 2, 2008

**Via Hand Delivery**

Honorable Richard M. Berman  
United States District Judge  
United States District Court  
Southern District of New York  
United States Courthouse  
500 Pearl Street (Courtroom 14A)  
New York, New York 10007

**MEMO ENDORSED**  
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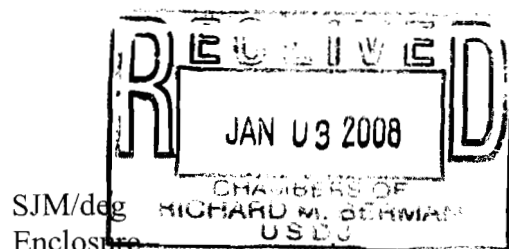
Re: New Stream Commercial Finance, LLC v. Harvey Electronics, Inc.  
Civil Action Number: 07 CV 9432 (RMB)  
Our File Number: 877290-002

Dear Judge Berman:

We represent Plaintiff New Stream in the above-referenced action. We write to advise the Court that on December 28, 2007, defendant Harvey Electronics, Inc. filed a Chapter 11 petition for relief in the United States Bankruptcy Court in the Southern District of New York, where it has been assigned to Judge Allan Gropper under case number 07-14051 (ALG).

As a result of such filing and of advice received last week from defendant Harvey's counsel in this action that a bankruptcy filing was forthcoming, the mediation of the parties' disputes (which had been scheduled to proceed with Mediation Statement submissions on December 28 to the parties' designated mediator) has been canceled.

Accordingly, and in light of the "automatic stay" provisions of Bankruptcy Code § 362, 11 U.S.C. § 362, we recognize that—absent court approval—further proceedings in this litigation are suspended.



Respectfully,

Steven J. Mandelsberg

HH

Honorable Richard M. Berman  
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cc: Donald T. Rave, Jr.  
Law Offices of Donald T. Rave  
11 The Plaza  
Locust Valley, NY 11560  
Attorneys for Defendant Harvey Electronics, Inc.  
(Via First Class mail & E-mail)

<u>THE CLERK IS RESPECTFULLY REQUESTED</u>	
<u>TO PLACE THIS CASE ON THE COURT'S</u>	
<u>SUSPENSE DOCKET.</u>	
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SO ORDERED:	<u>Richard M. Berman</u>
Date: <u>1/3/08</u>	Richard M. Berman, U.S.D.J.